IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Original Jurisdiction

Dated: Nainital: the 1st day of November, 2006
Crl. Bail Application No.1024 of 2006

Order on Bail Application:
CRIMINAL SIDE

Trilochan Joshi S/o Parmanand
R/o Village Junayal, Patwari Area Banlekh,
District Bageshwar .....Applicant

Versus

State of Uttaranchal .....Opposite Party

Arising out of Crime No. 01 of 2006
Under Section: 304-B, 498-A of I.P.C. & 3/4 of the D.P. Act.
Police Station: Patwari Area Benlekh
District: Bageshwar.

Hon'ble Prafulla, C. Pant, J.

Heard Mr. B.S. Adhikari, learned counsel for the applicant and Mr. Amit Bhatt, learned A.G.A. for the State.

Applicant Trilochan Joshi, who is in jail in connection with crime No. 01 of 2006, relating to offence punishable under Section 304-B, 498-A of I.P.C. and that of one punishable under Section 3/4 of the Dowry Prohibition Act, 1961, Patwari Area Banlekh, District Bageshwar, has sought his release on bail.

It is argued that the allegation of demand of Dowry are vague and general in nature. The applicant is father-in-law of the deceased. My attention was drawn to the Annexure-1 to the affidavit filed with the bail application, which shows that the applicant is a sick and infirm (orthopedically handicapped) person.

Considering the facts and circumstances of the case, without expressing any opinion as to the final merits of the case, this Court is of the view, that the applicant deserves bail.

Let the applicant Trilochan Joshi be released on bail on his executing a person bond and furnishing two sureties each of the like amount to the satisfaction of the Chief Judicial Magistrate Bageshwar.

(Prafulla C. Pant, J.)

Dt. 01.11.2006
H. Negi